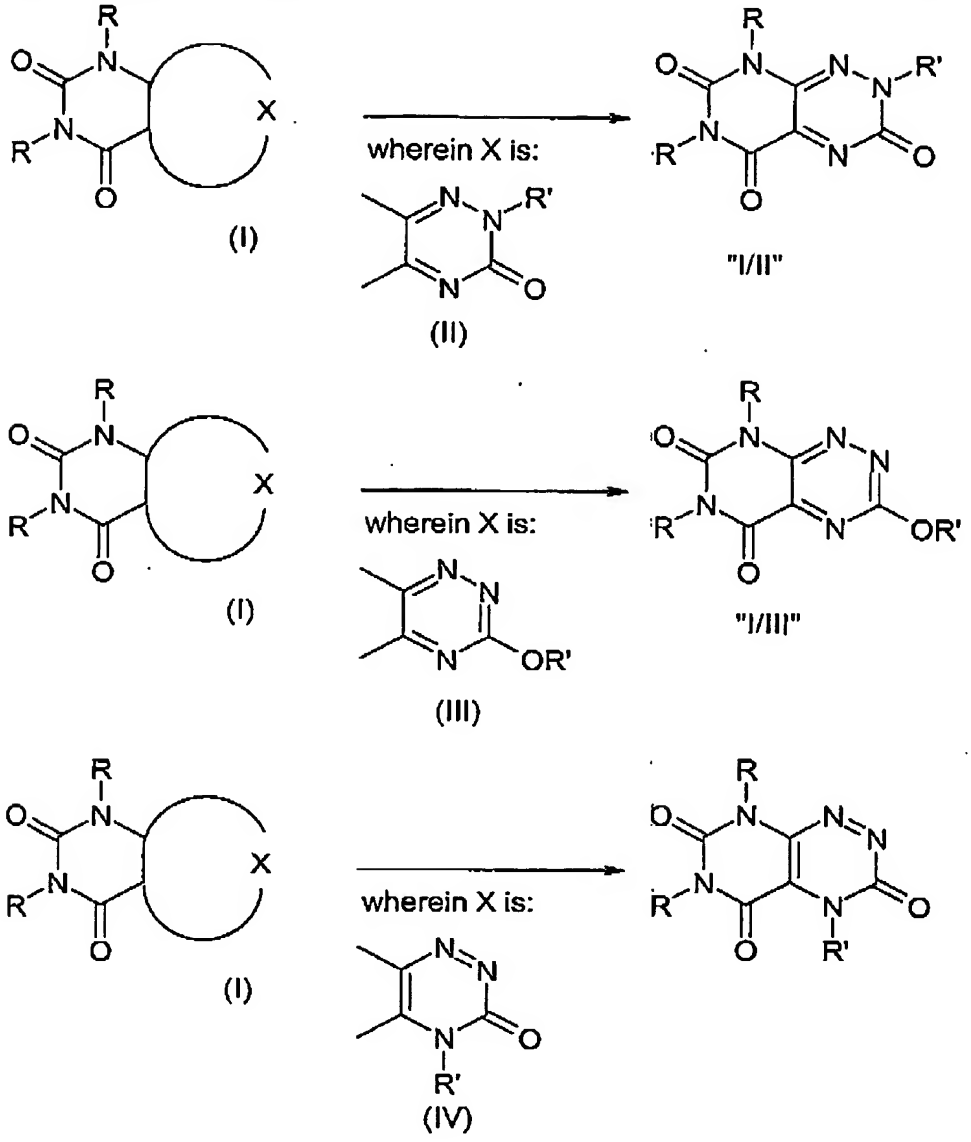
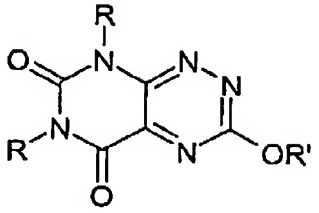
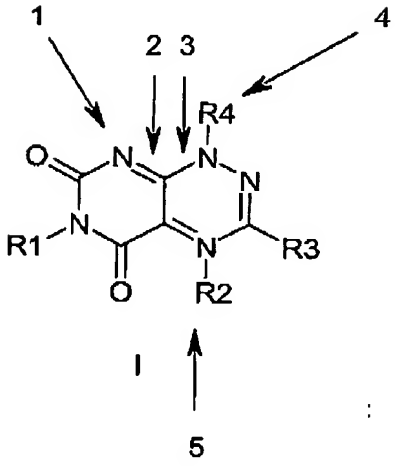


The Pallen compounds denoted herein as "I/II" and "I/IV" have three carbonyl groups present in the markush structures above. In comparison, Applicant's compounds have only two carbonyl groups and Pallen does not teach or suggest an equivalence between a carbonyl group and the groups defined by the variable R3 in Applicant's Formula I. Therefore, Applicant asserts that Pallen compounds "I/II" and "I/IV" are patentably distinct from Applicant's compounds. Furthermore, Applicant asserts that the Pallen compound denoted herein as "I/III" and Applicant's compounds are also patentably distinct based upon several structural differences shown below.

Pallen compounds:



Applicant's compounds:



There are 5 differences in the structure (see arrows 1 to 5):

1) Applicant's compounds do not have a substituent R in this position (not even hydrogen).

2) Applicant's compounds have a double bond in this position. The Pallen compounds have a single bond.

3) Applicant's compounds have a single bond in this position. The Pallen compounds have a double bond.

4) Applicant's compounds have a substituent R4 in this position. The Pallen compounds have no substituent here (not even hydrogen).

5) Applicant's compounds have substituent R2 in this position. The Pallen compounds have no substituent here (not even hydrogen).

Conclusion

In view of the arguments presented herein, Applicant asserts that the application is in condition for allowance.

Respectfully submitted,

Barbara E. Kurys

Barbara E. Kurys, Reg. No. 34,650
Attorney/Agent for Applicant

Sanofi-Aventis
Patent Department
Route #202-206 / P.O. Box 6800
Bridgewater, NJ 08807-0800
Telephone (908) 231-2965
Telefax (908) 231-2626